

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kouichi KITAHATA et al.

Application No.: 10/588,453

Confirmation No.: 5708

Filed: August 4, 2006

Art Unit: N/A

For: ADSORPTIVITY IMPARTING AGENT  
CONTAINING POROUS SILICA

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT**  
**(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL**  
**REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE**  
**1.114 RCE APPLICATION)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

- ☒ a. Copies of cited U.S. patents and patent application publications are not included.  
Copies of foreign patent documents and non-patent literature are included.

☐ b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

☐ c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

☐ a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

☒ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows: An English language abstract is attached to each of JP 61-163850, JP 7-132974, JP 2000-168791, JP 11-292152, JP 63-38188, JP 5-177132, JP 3-27483, JP 8-173137, JP 9-25114, JP 2003-190781, JP 2002-503979, JP 5-279967, JP 6-9885, JP 62-26813, JP 3-93662, JP 53-6611, JP 59-95931, JP 56-148585, JP 2000-204230, JP 3-109244, JP 5-302781, JP 2001-219059, JP 7-136240, JP 7-155369, JP 9-208809, JP 62-289512 and JP 9-132871. JP 8-67578 corresponds to US 5,599,759. JP 10-152317 corresponds to US 2002/0051802A1. WO 2002/057403A1 corresponds to US 2004/0062835A1. JP 2002-145734 corresponds to US 2003/0072779A1.

☒ c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

☐ d. OTHER - The following additional information is provided for the Examiner's consideration.

IV. FEES (check one box)

☐ a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

☐ b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

☐ c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*

☒ d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

☐ e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

☐ f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).

☐ g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

☐ No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.  
or

☐ See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

☐ a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

☐ b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

☐ d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable

inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

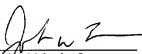
- ☐ The required fee is listed on the attached Fee Transmittal.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 7, 2006

Respectfully submitted,

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Attachment(s):

- ☒ PTO-SB08  
☒ Documents  
☒ Foreign Search Report

Substitute for form 1449PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>	
Application Number			10/588,453-Conf. #5708	
Filing Date			August 4, 2006	
First Named Inventor			Kouichi KITAHATA	
Art Unit			N/A	
Examiner Name			Not Yet Assigned	
Attorney Docket Number			1422-0722PUS1	

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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-5,599,759	02-04-1997	Inagaki et al.	
	AB*	US-20020051802-A1	05-02-2002	Shio et al.	
	AC*	US-20040062835-A1	04-01-2004	Earl et al.	
	AD*	US-20030072779-A1	04-17-2003	Sato et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document Country Code* Number* Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	JP-2002-187712	07-05-2002		✓
	BB	JP-2001-179096	07-03-2001		✓
	BC	JP-11-106324	04-20-1999		✓
	BD	JP-2003-003013	01-08-2003		✓
	BE	JP-2005-089218	04-07-2005		✓
	BF	JP-61-163890-A	07-24-1986		
	BG	JP-7-132974-A	05-23-1995		
	BH	JP-2000-168791-A	06-20-2000		
	BI	JP-11-292152-A	10-26-1999		
	BJ	JP-63-38188-B2	07-28-1988		
	BK	JP-5-177132-A	07-20-1993		
	BL	JP-3-27483-B2	04-16-1991		
	BM	JP-6-173137-A	07-09-1996		
	BN	JP-9-25114-A	01-28-1997		
	BO	JP-2003-190781-A	07-08-2003		
	BP	JP-2002-503979-A	02-05-2002		
	BQ	JP-5-279967-A	10-26-1993		
	BR	JP-6-9885-A	01-18-1994		
	BS	JP-62-26813-B2	06-11-1987		
	BT	JP-3-93662-A	04-18-1991		
	BU	JP-53-6611	01-21-1978		
	BV	JP-59-95931-A	06-02-1984		
	BW	JP-56-148585-A	11-18-1981		
	BX	JP-2000-204230-A	07-25-2000		
	BY	JP-3-109244-A	05-09-1991		
	BZ	JP-5-302781-A	11-16-1993		
	BA1	JP-2001-219058-A	08-14-2001		
	BB1	JP-7-136240-A	05-30-1995		
	BC1	JP-7-155369-A	06-20-1995		
	BD1	JP-9-208809-A	08-12-1997		
	BE1	JP-62-289512-A	12-16-1987		
	BF1	JP-9-132871-A	05-20-1997		

Examiner Signature	Date Considered
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Substitute for form 1449PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	10/588,453-Conf. #5708
				Filing Date	August 4, 2006
				First Named Inventor	Kouichi KITAHATA
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Doctat Number	1422-0722PUS1

	BG1	JP-8-57578-A	03-12-1996			✓
	BH1	JP-10-152317-A	06-09-1996			✓
	BI1	WO-2002057403-A1	07-25-2002			✓
	BJ1	JP-2002-145734-A	05-22-2002			✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.58(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IPW. † Applicant's unique citation designation number (optional). ‡ See Minc Code of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 601.04. § Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¶ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*\* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*\*\* Applicant to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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